

# United States District Court

## SOUTHERN DISTRICT OF CALIFORNIA

Jose Luis Garcia

V.

### JUDGMENT IN A CIVIL CASE

People of California;  
Larry H. Smalls

**CASE NUMBER:** 08cv2360-MMA(BLM)

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**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

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**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

### IT IS ORDERED AND ADJUDGED

The Court adopts the Report and Recommendation in its entirety. Accordingly, the Court denies Petitioner's first amended petition and a writ of habeas corpus shall not issue in this case.

January 5, 2010

Date

W. Samuel Hamrick, Jr.

Clerk

s/ L Hammer

(By) Deputy Clerk

ENTERED ON January 5, 2010